UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,443	12/09/2004	Yusuke Shimizu	05905-0179	8650

22852   7590   07/17/2008
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER
WONG, JEFFREY KEITH

ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
07/17/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10 April 2008_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _18,20 and 23-33_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _18,20,23-33_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (d) the invention was first patented or caused to be patented, or was the subject of an inventor's
> certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date
> of the application for patent in this country on an application for patent or inventor's certificate filed
> more than twelve months before the filing of the application in the United States.

2.   Claims 18, 20, 23-33 are rejected under 35 U.S.C. 102(e) as being anticipated by

Benoy (US Patent 6,896,618).

Regarding Claim 18, 24, 26.

A game system including an arcade game machine installed in a play facility with which

a player plays a game after paying a play fee(Col 1, lines 20-34. Casino games require

a player to pay a fee to play), and a server device connected to the arcade game

machine via a network(Abstract. The loyalty program server is connected to the gaming

machine), the game system being configured to perform:

(a) registering identification information unique to the player on the server device so as

to allow the player to play the game on the arcade game machine(Abstract. Players

must enter identification information before playing a game);

(b)allowing the player to register a message in association with the identification

information on the server device before allowing the player to start the game on the

arcade game machine, said message being arranged to be displayed on a designated

terminal device when an event designated by the player occurs during the progress of the game after starting the game(Col 5, lines 36-52. Registration messages are sent and received as means of tracking players);

(c) allowing the player to play the game on the arcade game machine when the identification information transmitted from the player meets the identification information stored on the server(Col 8, 1-3. Players will be able to play the game and accumulate loyalty points after validating their identification); and

(d) transmitting the message from the server device to a designated terminal device so that the message is displayed on the designated terminal device when the event designated by the player has occurred during the progress of the game after starting the game (Col 5, lines 36-52. Registration messages are sent and received as means of tracking players).

Regrading Claim 20.

The game system according to claim 18, further configured to perform:

(c-1) calculating points acquired as a result of the player's game play(Col 8, lines 1-3), and

(d-1) displaying the message which is registered correspondingly to the points by the player before starting the game(Col 6, lines 51 to Col 7, lines 10. Players are displayed a message to validate their identification in order to accumulate loyalty points).

Regrading Claim 23.

The game system according to claim 20, wherein said message information contains

plural messages which are registered in relation with certain game points, respectively,

one of which is given to the player in accordance with a result of the game

Regrading Claim 25.

The game system according to claim 24, wherein said message data contains plural

messages which are registered in relation with certain game stages or statuses,

respectively(Col 14, lines 43-65. A plurality of messages are displayed such as time of

reservation and restaurant selections).

Regarding Claim 27.

The game system of claim 18, wherein said designated terminal device is the arcade

game machine on which the player plays the game(Abstract. Players play at the

designated machine in which said player enters identification information).

Regarding Claim 28.

The game system Of claim 18, wherein said designated terminal device is either

another arcade game machine on which an opponent player plays the game or a mobile

terminal device which the opponent player carries(Col 5, lines 26-28).

Regarding Claim 29.

The game system of claim 24, wherein said designated terminal device is the one of the

plurality of game apparatuses on which the player plays the game (Col 4, line 22).

Regarding Claim 30.

The game system of claim 24, wherein said designated terminal device is either another

of the plurality of game apparatuses on which an opponent player plays the game or a

mobile terminal device which the opponent player carries(Col 5, lines 26-28).

Regarding Claim 31.

The game system of claim 26, wherein said designated terminal device is either the

other of the plurality of game apparatuses on which the other player plays the game or a

mobile terminal device which the other player carries.

Regarding Claims 32, 33.

 A game system comprising a server (abstract) and a plurality of game apparatuses (Col

4, line 22) connected via a network(Col 5, lines 56-57), which is configured to allow one

player to play a game on one of the plurality of game apparatuses against another

player playing on another of the plurality of game apparatuses(Col 4, lines 54-64. Bingo

is played against another player), said game system being configured to perform:

(a) registering identification information unique to each player (Abstract. Players must

input identification information) so that the one player on the one of the plurality of game

apparatuses can play the game against the another player on the another of the

plurality of game apparatuses

(b) allowing the one player to register message data on the server by way of a mobile

terminal device (Col 5, lines 26-28) operated by the one player before starting the

game(Col 5, lines 36-52. Registration messages are sent and received as means of

tracking players), said message data containing a message arbitrarily prepared or

designated by the one player and being arranged to be displayed on a terminal device

designated by the player when an event expected or designated in advance by the one

player occurs during a progress of the game after starting the game(Col 5, lines 36-52.

Registration messages are sent and received as means of tracking players); and

(c) transmitting the message to said designated terminal device from the server so that

the message is displayed on the designated terminal device when the event designated

by the one player before starting the game has occurred during a progress or as a result

of the game executed by the one player after starting the game(Col 5, lines 36-52.

Registration messages are sent and received as means of tracking players).

Response to Arguments

3.   Applicant's arguments filed 4/10/2008 have been fully considered but they are

not persuasive.

4.   Applicant alleges that Benoy fails to disclose "allowing the player to register a

message in association with the identification information on the server device before

allowing the player to start the game on the arcade game machine, said message being

arranged to be displayed on a designated terminal device when an event designated by

the player occurs during a progress of the game after starting the game," as recited in

amended independent claim 18. The Examiner disagrees. Col 5, lines 33-52 discloses

of how players are expected to input identification information at a terminal to which a

reply message is sent back to the player such as the player's identification number. It is

viewed as reading on the limitation. The player receiving the message such as an

identification number is viewed as the displayed message.

Applicant alleges that Applicants were unable to identify a "restaurant interface

portion of the gaming machine," as such, in the Benoy reference. The Examiner would

like to point out that Col 14, lines 43-65 discloses of how the gaming machine can have

a restaurant interface for making reservations at a restaurant by pressing a restaurant

button and is viewed as a form of messaging system. However, the Examiner has

decided to point out Col 5, lines 33-52 elaborates more thoroughly the messaging

system and displaying messages to players more so than displaying messages as to

restaurant reservations.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jeffrey K. Wong whose telephone number is (571)270-

3003. The examiner can normally be reached on M-Th 8:30am-7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Hotaling can be reached on (571)272-4437. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/
Primary Examiner, Art Unit 3714

JKW